

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Temporary License Application
Date of Event: March 15, 2014 Fact-
Event: Shamrock Beer Festival Finding
Applicant: James S. Martens, Hearing
 on Behalf of Drink the District
Neighborhood: 1300 1st Street
 (1st & N Street, SE)
Size of Event: 1,250 Attendees

March 12, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller,
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

JASON PERU, ABRA Investigator

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:15 a.m.)

3 CHAIRPERSON MILLER: Okay. We
4 have a Fact-Finding Hearing. Mr. Martens is
5 here for Drink the District.

6 MR. MARTENS: Good morning.

7 CHAIRPERSON MILLER: Good morning.

8 MR. MARTENS: How are you today?

9 CHAIRPERSON MILLER: Good. Thank
10 you. How are you?

11 MR. MARTENS: Very good.

12 CHAIRPERSON MILLER: So why don't
13 we start with introductions for the record?

14 MR. MARTENS: Great. I'm Stuart
15 Martens, CEO of Drink the District.

16 INVESTIGATOR PERU: Investigator
17 Jason Peru with ABRA.

18 CHAIRPERSON MILLER: Okay. Mr.
19 Martens, I know you have been here before.

20 MR. MARTENS: Yes, ma'am.

21 CHAIRPERSON MILLER: And you've
22 had successful events. I have in my notes

1 that you are supposed to bring certain
2 documents to this hearing. Do you have those
3 with you?

4 MR. MARTENS: I do.

5 CHAIRPERSON MILLER: Number of
6 entrances and location of entrances, emergency
7 access at the address. Okay. Location of
8 security personnel, location of alcoholic
9 beverages and there is geographical area where
10 alcohol will be consumed, placement of signs,
11 "No Alcohol Beyond This Point," and location
12 of the food table exhibits.

13 Did you bring all that?

14 MR. MARTENS: Yes. The only thing
15 you are not going to see on this map that we
16 have been advised by EMS and several other
17 folks, we are going to do emergency exits
18 every 150 feet on the fence line. So we will
19 have those indicated on the fence with
20 emergency exit signs.

21 CHAIRPERSON MILLER: Okay. Thank
22 you. Can you give a simple overview of this

1 event?

2 MR. MARTENS: Absolutely.

3 CHAIRPERSON MILLER: Okay.

4 MR. MARTENS: So this is Drink the
5 District. We have been operating in D.C. for
6 a little over -- about two years now. We
7 throw a beer tasting event, so we are going to
8 have about 50 different beers from several
9 different suppliers and it is patrons get to
10 come in. We have live music. We have games.
11 We have specialty vendors or local vendors
12 doing arts and crafts. We bring in about
13 eight different food trucks. And that's just
14 an entertainment event for three hours.

15 CHAIRPERSON MILLER: Okay. How
16 does it compare with your past events that we
17 have approved?

18 MR. MARTENS: Virtually the same.

19 CHAIRPERSON MILLER: Virtually the
20 same. Do you have security?

21 MR. MARTENS: Same as all the
22 other events.

1 CHAIRPERSON MILLER: Numbers of
2 people that you expect?

3 MR. MARTENS: Should be the same
4 as the others. Right now, we are looking at
5 about 1,500 per session, so a total of 3,000.

6 CHAIRPERSON MILLER: Okay. And
7 what's your security?

8 MR. MARTENS: The security are
9 indicated on the map by the blue stars. We
10 are within -- we are actually above the
11 current regulation of, I think it is, 75:1.

12 CHAIRPERSON MILLER: Okay.

13 MR. MARTENS: And we also have --
14 in addition to the stars, we have several
15 managers who are going to be working the front
16 entrance who are also TIPS trained. I think
17 that number gets to about 24, so the security
18 on the map is indicated as 10. That does not
19 include their manager who is on-site as well.

20 So the manager from Massive
21 Entertainment will be there, that puts that at
22 11. We have another 9 personnel from --

1 directly from our staff and then we have three
2 other contractors who will be there who have
3 served in a security capacity.

4 CHAIRPERSON MILLER: Okay. And
5 how do you check IDs and control for underage
6 drinking?

7 MR. MARTENS: We have a triple ID
8 check. We check at the gate. Massive
9 Entertainment is the ID checkers who -- as
10 everyone enters the facility, they check IDs.
11 They are stamped, their hand gets stamped upon
12 entry. It is 21 only, so there is no -- if
13 you are not 21, you don't come in.

14 CHAIRPERSON MILLER: Okay.

15 MR. MARTENS: Inside the facility,
16 once you -- if you go up to the bar and at any
17 point in time one of the bartenders feels that
18 you, you know, are not 21, they have the
19 discretion to raise their hand, have a manager
20 come over and check an ID themselves and let
21 a manager verify.

22 At that point in time if they feel

1 there is an issue, they will escalate that to
2 security. Security will then check that ID
3 again perhaps and/or just escort that person
4 out.

5 And then the third portion is we
6 have roaming, as you can see on the map,
7 security and roaming management that is doing
8 discretionary ID checks at any given time, if
9 we feel there is somebody who is underage.

10 CHAIRPERSON MILLER: Great. Okay.
11 And have you had any problems in the past?

12 MR. MARTENS: We have not had one
13 issue --

14 CHAIRPERSON MILLER: Really?

15 MR. MARTENS: -- to date.

16 CHAIRPERSON MILLER: Okay. Good.
17 All right. Other Board Members have
18 questions?

19 MEMBER SHORT: Yes.

20 CHAIRPERSON MILLER: Yes.

21 MEMBER SHORT: Good morning. How
22 are you doing?

1 MR. MARTENS: Good morning.

2 MEMBER SHORT: I see where you are
3 going to have a generator, but I don't see the
4 generator on your map anywhere.

5 MR. MARTENS: The generator is
6 actually -- what we found out on this site
7 plan, there is a shed to the far, let's see,
8 northeast corner. So as you are looking at
9 the map in the far right corner there, there
10 is a shed that actually has built-in power
11 into it, that's going to be brought over into
12 the -- where the stage area is.

13 MEMBER SHORT: Here, okay.

14 MR. MARTENS: And if a generator
15 is needed, it will be outside of the venue and
16 put over by that shed.

17 MEMBER SHORT: Generator subject
18 to need. What kind of fuel will you use?

19 MR. MARTENS: It's diesel.

20 MEMBER SHORT: Diesel fuel.

21 MR. MARTENS: If we bring in
22 generators, we use diesel. We also have light

1 towers. So the light towers -- if -- what we
2 are doing actually tomorrow night is
3 identifying if we even need light towers, but
4 those are also run by generators, very similar
5 stadium lighting comes in, sits on top of a
6 wheel generator that runs on diesel as well.

7 MEMBER SHORT: What's the capacity
8 of the generator?

9 MR. MARTENS: I couldn't tell you
10 that to be honest. Sorry.

11 MEMBER SHORT: Well, the reason
12 why I'm asking these questions is because
13 basically in a public assembly, especially
14 outside like this, if you have a generator and
15 you have people drinking alcohol, if it's not
16 secured properly -- or have you gone to the
17 Fire Marshal's Office to --

18 MR. MARTENS: We have done all the
19 necessary permitting. As I mentioned, I don't
20 believe we are even bringing in a generator to
21 this event. I would have to check with our
22 operations team, if they are even using it.

1 The last I heard was they don't need it,
2 because there is built-in power at the edge of
3 the facility.

4 MEMBER SHORT: Okay.

5 MR. MARTENS: And they were
6 working with Forest City to -- there are a few
7 20 amp circuits inside of the shed. But even
8 if there is a generator brought in, it would
9 be outside the fence line, so consumers would
10 have no ability to access that generator. And
11 at all of our events including Taste of DC,
12 which we also run, we fence in our generators
13 with bike rack barricade with -- I think we
14 have to have 10 feet of clearance between the
15 fence line and the generator. So we follow
16 all the regulations with regards to that.

17 MEMBER SHORT: Thank you. I just
18 wanted that on the record. Thank you very
19 much, Madam Chair.

20 MR. MARTENS: Gotcha.

21 CHAIRPERSON MILLER: Thank you.
22 Yes, Mr. Alberti?

1 MEMBER ALBERTI: Good morning, Mr.
2 Martens.

3 MR. MARTENS: Good morning.

4 MEMBER ALBERTI: Just real
5 quickly. I don't know if I heard you
6 correctly. Did you say this was 21 and older?

7 MR. MARTENS: It's always 21 and
8 up.

9 MEMBER ALBERTI: Okay. 21 and up.

10 MR. MARTENS: Yep.

11 MEMBER ALBERTI: And so they are
12 not getting wristbands, they are just getting
13 stamps?

14 MR. MARTENS: They are getting
15 stamps. If there is ever -- you know, for the
16 most part, like at Taste of DC for example,
17 that is not a 21 and up just event.

18 MEMBER ALBERTI: Right.

19 MR. MARTENS: So in that
20 situation, we treat it a little bit
21 differently. Given that this is only 21 --

22 MEMBER ALBERTI: Right.

1 MR. MARTENS: -- we tend to just
2 do stamping.

3 MEMBER ALBERTI: I just wanted to
4 make sure I understood that and that our
5 Inspectors, our Investigators understand that.

6 MR. MARTENS: Yep, 21 and up.

7 MEMBER ALBERTI: Okay. You said
8 two sessions?

9 MR. MARTENS: Yes, sir.

10 MEMBER ALBERTI: So how long are
11 the sessions?

12 MR. MARTENS: The sessions are
13 three hours with a two hour break in between.
14 So the two hours gets us the ability to clean
15 the venue.

16 MEMBER ALBERTI: Okay.

17 MR. MARTENS: Get everyone out.

18 MEMBER ALBERTI: Oh, okay. And
19 it's 1,500 max at one time for each session?

20 MR. MARTENS: Um, yeah. We could
21 probably put in more people. That's -- from
22 our perspective in keeping with the number of

1 -- the ratio of taps to people, that's really
2 what we can serve.

3 MEMBER ALBERTI: Okay. Great.
4 And one last question I have to ask. What are
5 Nakid Sports?

6 MR. MARTENS: It's a social sports
7 league here in D.C. They do kickball, Bocci,
8 softball. Their company name is called Nakid
9 Social Sports.

10 MEMBER ALBERTI: Okay. Catchy
11 name.

12 MR. MARTENS: N-A-K-I-D.

13 MEMBER ALBERTI: I saw it, but I
14 had to ask.

15 MR. MARTENS: Yeah, but they
16 provide a lot of the programming at the event.

17 MEMBER ALBERTI: Okay. Great.
18 Thank you.

19 MR. MARTENS: Yes, thank you.

20 CHAIRPERSON MILLER: Others?

21 MEMBER RODRIGUEZ: Good question.

22 MEMBER ALBERTI: I was just

1 curious.

2 CHAIRPERSON MILLER: I have just
3 one other question about tickets. How do you
4 sell them, I assume?

5 MR. MARTENS: All on-line.

6 CHAIRPERSON MILLER: All on-line.

7 MR. MARTENS: So you can't buy
8 tickets at the door. We don't --

9 CHAIRPERSON MILLER: You can't?

10 MR. MARTENS: No.

11 CHAIRPERSON MILLER: So are you
12 going to limit it to 1,500 or you might -- I
13 mean, if it were to go that high, might you go
14 higher?

15 MR. MARTENS: Um, I would have to
16 ask where they are today. I don't -- I
17 haven't seen the ticket sales right now. But
18 I could certainly get back to you all if that
19 is --

20 CHAIRPERSON MILLER: Well, I was
21 just curious as far as you are anticipating,
22 you know, your security needs.

1 MR. MARTENS: I don't anticipate
2 we would go over that number.

3 CHAIRPERSON MILLER: Right. Okay.
4 But you would cut it off if it got to a point
5 that it was?

6 MR. MARTENS: Within reason, yes.

7 CHAIRPERSON MILLER: Okay.

8 MR. MARTENS: Again, as I
9 mentioned it's not the event, as it's stated
10 today, it's not designed to go over that.

11 CHAIRPERSON MILLER: Right. And
12 if it did, you have the capacity to get extra
13 security?

14 MR. MARTENS: Absolutely, yeah.

15 CHAIRPERSON MILLER: Okay.

16 MR. MARTENS: Certainly. I mean,
17 if we did start selling more tickets than
18 that, you know, we can certainly -- from a
19 space perspective, we are not -- that's not
20 our limiting factor. For us, it's running a
21 good event where consumers are going to enjoy
22 themselves, so there is not massive lines.

1 CHAIRPERSON MILLER: Um-hum.

2 MR. MARTENS: But certainly we do
3 Massive Entertainment and we employ for Taste
4 of DC and they bring out, you know, 40, 50, 60
5 people at a time at least, so, you know, we
6 have the ability to get more security if we
7 start getting above that number.

8 CHAIRPERSON MILLER: Okay.

9 MR. MARTENS: Or even coming near
10 to it.

11 CHAIRPERSON MILLER: Okay. Great.
12 Mr. Peru, do you have any questions?

13 INVESTIGATOR PERU: No, I don't
14 believe so. I think this is pretty well laid
15 out. I guess parking -- I know this area
16 pretty well, I live in the area. Is there any
17 type of parking situation? You guys have
18 parking? Is there anybody that you guys are
19 employing or just street parking?

20 MR. MARTENS: For our employees
21 or?

22 INVESTIGATOR PERU: No, no, for

1 the public.

2 MR. MARTENS: Oh, we hope the
3 public does not drive to this event.

4 INVESTIGATOR PERU: Okay. That's
5 in a perfect world. Okay.

6 MR. MARTENS: So, I mean, for our
7 event to be --

8 INVESTIGATOR PERU: So street
9 parking is available. There is no extra lot
10 or anything?

11 MR. MARTENS: I mean, there is --
12 I can't give you an accurate number, but I
13 know in this area, I mean, I have been down
14 there countless times, I know there is other
15 parking areas in the general vicinity.

16 INVESTIGATOR PERU: Okay.

17 MR. MARTENS: I know to the west
18 there are about three different parking lots.
19 To the east there are, at least from what I
20 know, about two different parking lots. So
21 there is places to park. Clearly, we are
22 promoting that you should take Metro or Uber.

1 We have a partnership with Uber and we're
2 trying to promote people to use that.
3 Clearly, we do not want people driving to this
4 event.

5 INVESTIGATOR PERU: Good answer.
6 All right. Thanks.

7 CHAIRPERSON MILLER: Do you say
8 anything like that on-line?

9 MR. MARTENS: We do.

10 CHAIRPERSON MILLER: Good. Okay.
11 All right.

12 MEMBER SHORT: Yeah, right.

13 CHAIRPERSON MILLER: Any other
14 questions? Okay. Well, I would move that we
15 approve this application. Do I have a second?

16 MEMBER BROOKS: Second.

17 CHAIRPERSON MILLER: Mr. Brooks
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those
22 opposed? All those abstaining? The motion

1 passes 6-0-0.

2 MR. MARTENS: One thing to note.

3 CHAIRPERSON MILLER: Uh-huh?

4 MR. MARTENS: When we applied for
5 the license, our rental agreement with the
6 landlord stated that we would be arriving at
7 11:00 and shutting down at -- in the evening.
8 But they -- we are not -- it says on our
9 license that -- when we submitted it, they
10 force us to put down 11:00 a.m. We are not
11 actually going to be open until 1:00, so
12 certainly something to note. The license does
13 say 11:00, that was only simply because the
14 landlord's letter mentioned 11:00, but we
15 won't be open until 1:00.

16 CHAIRPERSON MILLER: Okay. So we
17 are just going to sign-off on this and then --

18 MR. MARTENS: Certainly.

19 CHAIRPERSON MILLER: -- you can
20 say.

21 MR. MARTENS: Yes, just from the--
22 you know, if the Inspectors do come out, just

1 I don't want anyone wasting time sitting
2 around for two hours.

3 CHAIRPERSON MILLER: Right. Okay.
4 Good point. Okay. Thank you.

5 MR. MARTENS: Thank you.

6 CHAIRPERSON MILLER: Good luck.

7 (Whereupon, the Fact-Finding
8 Hearing in the above-entitled matter was
9 concluded at 10:28 a.m.)

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